

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CLARET CAPITAL NOMINEES, et al.,	:	
	:	
Plaintiffs,	:	CIVIL ACTION
	:	
v.	:	No. 09-cv-3532
	:	
JOHN BENETT, et al.,	:	
	:	
Defendants.	:	

**ORDER**

AND NOW, this 30th day of November, 2009, upon consideration of Defendants' Motion to Dismiss (Doc. No. 6) and responses thereto, for the reasons set forth in the attached Memorandum, it is hereby ORDERED that the Motion is DENIED. It is further ORDERED that Defendants shall have fourteen (14) days from the entry of this Order to respond to Plaintiffs' Motion for Summary Judgment (Doc. No. 8).

BY THE COURT:

s/J. Curtis Joyner  
J. CURTIS JOYNER, J.